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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: December 1, 2004 Name: Gregory H. Zayia - Reg. No. 48,059 Signature: *Gregory Zayia*

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GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Yasuyuki Kawashima

Appln. No.: 10/821,732

Filed: April 8, 2004

For: Methods for Measuring Bacteria, Bacteria
Measuring Apparatuses, and Storage Media
for Storing Computer-Executable Programs
for Analyzing Bacteria

Examiner: To be assigned

Art Unit: 1651

Attorney Docket No: 11333/38

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Letter (in duplicate); First Supplemental Information Disclosure Statement; Form PTO-1449; Copy of European Search Report; and Copy of One (1) Cited Reference (B1)
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 44=			x \$88=	
First Presentation of Multiple Dep. Claim					+\$150=			+\$300=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

December 1, 2004
Date

Gregory Zayia
Gregory H. Zayia (Reg. No. 48,059)



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on December 1, 2004

Date of Deposit

Gregory H. Zayia – Reg. No. 48,059

Name of applicant, assignee or
Registered Representative

Gregory Zayia
Signature

December 1, 2004
Date of Signature

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FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(b), Applicant hereby cites reference B1 listed on the attached Form PTO-1449.

Applicant is enclosing a copy of the listed reference in accordance with 37 CFR §1.98(a)(2). Inasmuch as the listed reference is in English, no further commentary is believed to be necessary in accordance with 37 CFR §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the listed reference and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that the enclosed reference, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

In accordance with 37 CFR §1.97(e), Applicant certifies that the item of information identified on the attached Form PTO-1449 was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Statement. In evidence thereof, a copy of the European Search Report is enclosed.

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

December 1, 2004
Date

Gregory H. Zayia
Gregory H. Zayia (Reg. No. 48,059)

FORM PTO-1449	SERIAL NO. 10/821,732	CASE NO. 11333/38
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 8, 2004	GROUP ART UNIT 1651
(use several sheets if necessary)	APPLICANT(S): Yasuyuki Kawashima	